

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FILIBERTO MENDES-GARCIA, ARMANDO SANCHEZ
RIVERA, RAMON BURGOS, ANTONIO ROMAN,
LOURDES MORENO DE JESUS and MARIA QUISPE,
Individually and on Behalf of all Others Similarly Situated,

Plaintiffs,

Case No.: 11-CIV-2797

**ORDER
APPROVING SECOND
ADDENDUM TO SA & R
AND MODIFYING
PREVIOUS ORDERS**

-against-

77 DEERHURST CORP d/b/a SERVCO INDUSTRIES, INC.
and CHARLES CESTARO,

Defendants.
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Pending before the Court is a joint motion for an order approving the Second Addendum to Settlement Agreement and Release ("Second Addendum") and modifying this Court's previous orders of August 19, 2104, Doc. 226, and of November 3, 2104, Doc. 220. The Court approves the Second Addendum and grants the motion to modify the previous Order as follows:

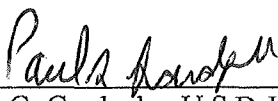
1. The Court is satisfied that the Settlement Claims Administrator ("SCA") in this F.L.S.A. 29 U.S.C. §216(b is currently in possession of all funds necessary to discharge all its obligations pursuant to the prior orders of this Court in this matter with the exception of the attorney's fees and disbursements of Plaintiffs' Counsel.
2. It having been established to the satisfaction of this Court that the interests of the Putative Collective Members ("PCM's") will not be affected by the proposed relief sought in any way, Collective Counsel's attorney's fees and disbursements, in the aggregate amount of \$75,672.22, which have been previously approved in

this Court's order of August 19, 2104, Doc. 226, at p. 11, may be modified in accordance with the Second Addendum, which is hereby approved in its entirety. The Court accepts that the signatures of the Defendants and of Plaintiffs' counsel are sufficient, insofar as no other parties have any remaining interest in the subject matter being affected.

3. The previous orders of this Court are accordingly modified in that the SCA be and hereby is relieved of any and all obligations to collect or distribute any of the attorney's fees or the disbursements. The SCA shall make payment to the Participating Collective Members forthwith, and shall discharge all remaining obligations in conformity with this Court's said prior orders as they occur in the ordinary course.
4. The Court shall retain jurisdiction over the Second Addendum for purposes of the enforcement of same.
5. The Court's prior orders are modified only to the extent necessary to effectuate this relief.

Dated: August 21, 2015
New York, New York

So Ordered


Paul G. Gardephe, U.S.D.J.